

87 CambridgePark Drive
Cambridge, MA 02140

Wyeth**F A C S I M I L E**

Date: November 30, 2004

Number of pages (including cover): 7

To: **USPTO – Office of Initial Patent
Examination's Filing Receipt
Corrections**

Telephone:

Fax: **(703) 746-9195**

cc:

From: **Susan L. Brandt, Patent Assistant**

Department: **Legal Department**

Telephone: **617-665-6074**

Fax: **617-665-6019**

☐ Urgent

☐ For your review

☐ Please reply asap

☐ Please comment

Remarks:

US Patent Application No. 10/699,233

Filed: October 31, 2003

Title: **ACYLATED BENZYLALLOSIDES AS INHIBITORS OF SMOOTH MUSCLE CELL
PROLIFERATION**

Request for Correction of Filing Receipt

Please correct the **Projected Publication Date** and the **Non-Publication Request** sections of the Filing Receipt. We did **not** make a Request for Non-Publication. I have attached a copy of the Filing Receipt as well as our Application Transmittal Sheet (please note No. 18. on page 4.)

This transmission is intended for the addressee only and may contain information that is proprietary to Wyeth. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of the information contained in this facsimile is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify this office immediately by telephone call to the sender above so we can arrange for the destruction or return of the document to Wyeth at no cost to you. Thank you.

CPB



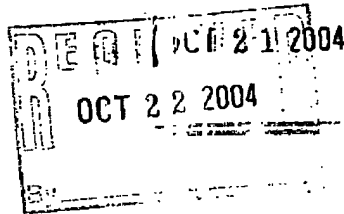
UNITED STATES PATENT AND TRADEMARK OFFICE

CC: CAMBRIDGE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FILE FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/699,233	10/31/2003	1623	770	AHP-98272		4	3

25291
WYETH
PATENT LAW GROUP
5 GIRALDA FARMS
MADISON, NJ 07940



CONFIRMATION NO. 3370

FILING RECEIPT



OC000000014113170

Date Mailed: 10/18/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Scott C. Mayer, Bridgewater, NJ;
Robert E. McDevitt, Somerset, NJ;
Paul J. Dollings, Newtown, PA;

BEST AVAILABLE COPY

Assignment For Published Patent Application

Wyeth, Madison, NJ

Power of Attorney: The patent practitioners associated with Customer Number 25291.

Domestic Priority data as claimed by applicant

This application is a DIV of 09/447,003 11/22/1999 ABN
which claims benefit of 60/229,347 11/24/1998 ABN

Foreign Applications

If Required, Foreign Filing License Granted: 10/16/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/699,233**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Acylated benzylmaltsides as inhibitors of smooth muscle cell proliferation

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Docket No: AHP-98272
PatentIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Scott C. Mayer, et al
Application No.: Not Yet Assigned Group Art No.: 1623
Filed: October 31, 2003 Examiner: L. Maier
For: ACYLATED BENZYLALLOSIDES AS INHIBITORS OF
SMOOTH MUSCLE CELL PROLIFERATION
Confirmation No.: 3253
Customer Number: 25291

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR TRANSMITTAL UNDER 37 CFR 1.53 (b)

Transmitted herewith for filing is the patent application of the following Inventor(s): Scott C. MAYER; Robert E. MCDEVITT; Paul J. DOLLINGS ;
For: ACYLATED BENZYLALLOSIDES AS INHIBITORS OF SMOOTH MUSCLE CELL PROLIFERATION.

1. This new application is for a:
☒ Divisional
☐ Continuation
☐ Continuation-in-part (CIP)
2. Benefit of Prior U.S. Application(s) (35 USC 120)
This new application being transmitted claims the benefit of prior U.S. application(s) Application No. 09/447,003, filed on November 22, 1999, which claims priority of Provisional Application No. 60/229,347, filed on November 24, 1998.
3. Papers enclosed which are required for filing date under 35 CFR 1.53(b):
☒ Pages of specification - 39 pages
☐ Sequence Listing - pages on
☐ CD-ROM or CD-R (2 copies); or
☐ Paper
☒ Pages of claims - 14 pages
☒ Page(s) of abstract - 2 pages
Sheets of drawing - pages
☐ Formal
☐ Informal

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EU947815881US addressed to the Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

October 31, 2003
Date

Bubinea D. Owens
Bubinea D. Owens

BEST AVAILABLE COPY

Docket No: AHP-98272
Patent

4. Additional papers enclosed
- ☒ Information Disclosure Statement
 - ☒ Form PTO-1449
 - ☐ Citations
 - ☐ Statement of Biological Deposit
 - ☐ Computer Readable Form of Sequence Listing
 - ☐ Statement Under 37 CFR 1.821(f)
 - ☒ Application Data Sheet
 - ☐ Other:
5. Declaration
- ☒ Copy from a prior application (37 CFR 1.63 (d)) is enclosed
 - ☐ New declaration enclosed and executed by all inventor(s)
 - ☐ New declaration not enclosed or not executed by all inventor(s)
6. Assignment
- An assignment of the invention to:
- Wyeth
Five Giralda Farnas
Madison, New Jersey 07940
- ☒ was made in the prior application and recorded in PTO on June 8, 2000, Reel 010874, Frame 0180.
 - ☐ is attached under separate Recordation Form Cover Sheet.
 - ☐ will follow.
7. Incorporation By Reference
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Section 5 of this transmittal, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
8. Amendments
- ☒ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim is retained for filing purposes.) A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following with the highest numbered original claim in the prior application.)
9. General Authorization:
- During the pendency of this application treat any reply requiring a petition for extension of time for its timely submission as containing a request therefor for the appropriate length of time. The Commissioner is hereby authorized to charge all required extension of time fees during the entire pendency of this application to Deposit Account No. 01-1425.

Docket No: AHP-98272
Patent

10. Filing Fee Calculation

CLAIMS AS AMENDED			
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA x RATE	(4) BASIC FEE
			\$750.00
TOTAL CLAIMS	4	x \$ 18.00	0.00
INDEPENDENT CLAIMS	3	x \$ 84.00	0.00
MULTIPLE DEPENDENCY FEE		\$ 280.00	
Total Filing Fee:			\$750.00

11. Fee payment being made at this time: \$750.00
12. Method of Payment of Fees:
Charge Deposit Account No. 01-1425 in the amount of \$750.00
A duplicate of this transmittal is attached.
13. Instructions as to Overpayment:
Credit any overpayment to Deposit Account No. 01-1425.
14. Authorization to Charge Additional Fees
☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 01-1425:
☒ 37 CFR 1.16(a), (f), or (g) filing fees
☒ 37 CFR 1.16(b), (c), and (d) presentation of extra claims
☒ 37 CFR 1.16(e) surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application.
☒ 37 CFR 1.17 application processing fees
15. Relate Back (35 USC 120)
☒ Amend the Specification as requested in the accompanying Preliminary Amendment to insert before the first line the sentence:
 --This is a divisional of copending application(s) application number 09/447,003 filed on November 22, 1999, which claims priority of Provisional Application No. 60/229,347, filed November 24, 1998, the entire disclosure of which is hereby incorporated by reference.--
16. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed
 (a) ☒ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application is (are)
☒ the same
☐ less than those named in the prior application and it is requested that the following inventor(s) identified for the prior application be deleted in

Docket No: AHP-98272
Patent

accordance with the signed statement attached deleting inventor(s)
named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)):

- (b) ☐ This application discloses and claims additional disclosure by amendment and a new declaration is being filed. With respect to the prior application the inventor(s) in this application is (are)
- ☐ the same
- ☐ the following additional inventors have been added:

17. Maintenance of Copendency of Prior Application
- (a) ☐ Extension of Time in Prior Application
- ☐ A petition, fee and response extends the term in the pending prior application until
- ☐ A copy of the petition filed in the prior application is attached.
- (b) ☐ Conditional petition for Extension of Time in Prior Application.
- ☐ A conditional petition for extension of time is being filed in the pending prior application.
- ☐ A copy of the conditional petition filed in the prior application is attached.

18. REQUEST AND CERTIFICATION UNDER 35 U.S.C 122(b)(2)(B)(i).
- ☐ A request not to publish this application and certification under 35 U.S.C. 122(b)(2)(B)(i) is attached.

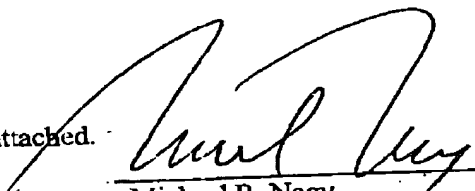
19. SEND CORRESPONDENCE TO:

Customer Number: 25291

DIRECT ALL TELEPHONE CALLS TO:

Name: Michael R. Nagy
Tel. No. (484) 865-8616

20. ☒ Return Receipt Postcard is attached.


Michael R. Nagy
Attorney for Applicants
Reg. No. 33,432

Wyeth
Patent Law Department
Five Giralda Farms
Madison, NJ 07940
Tel. No. (484) 865-8616